

## Marnie Jeffery

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**From:** Marnie Jeffery  
**Sent:** Friday, 18 February 2022 12:46 PM  
**To:** rbrickwood.pitt@gmail.com  
**Cc:** Peter Orr  
**Subject:** PP-2021-7144 - 1022 CRESCENT HEAD ROAD CRESCENT HEAD - BROSE  
**Attachments:** BCD\_Attachment 1\_2\_3pdf.pdf

Hi Robert

As advised, Council sought comment from the Biodiversity and Conservation Division (BCD) of DPIE regarding potential environmental impacts resulting in the subdivision of Lot 17 DP818185.

Council raised concern that the Planning Proposal, and subsequent Ecological Assessment, only limited the assessment of potential environmental impacts to the proposed western lot and the defined 'development footprint' within that lot. The whole of the 8.6ha of Lot 17 DP818185 had not been assessed and the potential impacts of subdividing considered.

Importantly, Council are concerned that consideration has not been given to the potential impacts of creating a boundary that splits the remaining vegetation in the southern portion of Lot 17 DP818185. This vegetation has been identified in the Ecological Assessment, prepared by Wolf Peak, as containing native vegetation consisting of *'Forest vegetation in the south of the site contains some preferred Koala food trees such as Tallowwood, Scribbly Gum and White Stringybark and would fall into the category of 'Secondary A' habitat'*. The Planning Proposal states *'the subject land does not contain any land of high conservation value and there would be no clearing required to facilitate a future dwelling'*. This statement is incorrect in that the location of the proposed lot boundary would enable the application of the Rural Boundary Clearing Code (the Code). The Code creates an entitlement for clearing 25 metres either side of new property boundaries resulting from subdivision of rural zoned land for bushfire protection.

The above concerns were reiterated by BCD and have advised Council they would not support a Planning Proposal that enables boundary clearing through the Code of the remnant native vegetation identified as Secondary A Koala habitat.

Council supports the recommendations put forward by BCD, in that:

1. The current Planning Proposal should not be supported as it would result in future impacts on native vegetation identified as koala habitat, arising from the creation of boundary clearing entitlements under the Rural Boundary Clearing Code.
2. Other options should be investigated for the Planning Proposal including, but not limited to:
  - a. a different lot configuration that involves a different boundary location to retain and protect native vegetation identified as koala habitat by ensuring there is sufficient distance to establish and maintain a new boundary fence that will not result in any requirement or entitlement to clear the vegetation.
  - b. the application of a C (Conservation) zone, preferably C2 Environmental Conservation, to the native vegetation identified as koala habitat (noting the Rural Boundary Clearing Code does not apply to C-zoned land) and the location of a new lot boundary 3m from the C2 zoned land.
3. If recommendation 2 above can be met, then an amended Planning Proposal should be prepared in accordance with the BCD North-east Planning team recommendations for assessing high environmental value lands as outlined in Attachments 1, 2 and 3 (attached).

Please do not hesitate to contact me if you wish to discuss any of the above.

Regards,  
Marnie Jeffery

Strategic Planning Officer

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